

**BEFORE THE BOARD OF EDUCATIONAL EXAMINERS
OF THE STATE OF IOWA**

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EXECUTIVE DIRECTOR
BOARD OF EDUCATIONAL EXAMINERS
AUG 07 2017

In the matter of:)	BOEE Case No. 17-06
)	Folder # 349615
Christopher R. Cundiff,)	
)	COMBINED STATEMENT OF
Respondent.)	CHARGES, SETTLEMENT
)	AGREEMENT, AND FINAL ORDER

In accordance with the provisions of Iowa Code sections 17A.12(5) and 272.2(4) and 282 IAC 11.4(6), and with full knowledge of the right to demand a formal hearing before the Board upon the pending complaint prior to the imposition of sanction upon his license, the Respondent expressly waives the right to a disciplinary hearing and notifies the Board of his desire to resolve the pending complaint through means of informal disposition.

The Respondent concedes the jurisdiction of the Board for all issues relevant hereto and voluntarily consents to the State's counsel presenting this agreement to the Board with the terms provided. If the Board does not accept the terms of this agreement, the disciplinary hearing will be rescheduled and the stipulations contained herein are not binding upon the Respondent and will not be presented against him at the time of hearing without further agreement of the Respondent.

Board approval of this settlement shall constitute resolution of this matter and will be entered as a FINAL ORDER of the Board.

NOTICE OF HEARING

A hearing in this matter will not be held, as the State and Respondent have entered into the following consent agreement in lieu of scheduling a contested case hearing. If the Board does not accept this Combined Statement of Charges, Settlement Agreement, and Final Order, the matter may be set for hearing in accordance with 282 Iowa Administrative Code rule 11.7.

STIPULATIONS

1. Respondent holds a Standard LICENSE (FOLDER # 349615) with the following endorsements: 5-12 Journalism; 5-12 Speech, Communications, and Theater; 5-12 English/Language Arts. Respondent's license is current and will next expire on November 30, 2019.

2. During the relevant facts of this matter, Respondent was employed with Des Moines Public Schools.

3. On January 25, 2017, the Board of Educational Examiners received a

complaint against Respondent alleging a violation of the Code of Ethics.

4. On April 7, 2017, the Board found probable cause to proceed to hearing based upon the facts set forth in paragraph 6 below.

5. The Board charged Respondent with violation of Board rule 282 Iowa Administrative Code 25.3(4)(a) – (e), which prohibits misuse of public funds and property.

6. Respondent was employed as the Head Coach of the Roosevelt High School girls' basketball team. On January 13, 2017, the Iowa State Auditor released a report which identified a non-District bank account established and administered by Respondent, in violation of District policy.

SETTLEMENT AGREEMENT

7. This Combined Statement of Charges, Settlement Agreement, and Final Order constitutes the final resolution of a contested case proceeding and shall have the force and effect of a disciplinary order entered following a contested case hearing.

8. In order to resolve this matter without proceeding to hearing, Respondent agrees to the following conditions:

- a. Respondent accepts a WRITTEN REPRIMAND for violation of 282 Iowa Administrative Code 25.3(4)(a), (d) and (e).
- b. Respondent's license will be suspended for ONE YEAR.
- c. Respondent agrees to successfully complete at least fifteen in-person contact hours in "Ethics for Educators." This course is offered by the ISEA. Respondent is responsible for all costs associated with the completion of the educational course. Respondent shall provide the Board with proof of completion of the Ethics for Educators course within one (1) year of the Board's acceptance of this Combined Statement of Charges, Settlement Agreement, and Final Order.

LICENSEE DECLARATION

I understand that this Combined Statement of Charges, Settlement Agreement, and Final Order is subject to the approval of the Board and will have no force or effect if it is not accepted by the Board.

I understand State's counsel will present this Combined Statement of Charges, Settlement Agreement, and Final Order to the Board *ex parte*.

I agree to comply with the requirements set forth in the stipulations and requirements of this Combined Statement of Charges, Settlement Agreement, and Final

Order and understand that my failure to do so can result in additional discipline of my standard license.

I understand that this Combined Statement of Charges, Settlement Agreement, and Final Order is a public record, which will become part of my permanent licensure file and will be available for public inspection and reproduction.

I understand that my name will be added to the national clearinghouse database kept by the National Association of State Directors of Teacher Education and Certification (NASDTEC).

7/26/17
Date




Christopher R. Cundiff, Respondent

ORDER

IT IS THE FINAL ORDER OF THE IOWA BOARD OF EDUCATIONAL EXAMINERS THAT:

1. The conduct with which Respondent has been charged constitutes a violation of the Code of Professional Conduct and Ethics governing the teaching profession, specifically, of 282 Iowa Administrative Code 25.3(4)(a), (d), and (e). Respondent is REPRIMANDED for the charged conduct.
2. Respondent's license is suspended for ONE YEAR.
3. Respondent shall successfully complete at least fifteen in-person contact hours in "Ethics for Educators." Respondent is responsible for all costs associated with the completion of the educational course. Respondent shall provide the Board with proof of completion of the Ethics for Educators course within one (1) year of the date of this Order.
4. In determining the appropriate sanction to impose in this case, the Board has considered the nature and seriousness of the allegations as well as mitigating circumstances.

Dated this 6th day of October, 2017.



Ann Lebo, Executive Director
Iowa Board of Educational Examiners

Copies to:

Christopher R. Cundiff
RESPONDENT

Christy Hickman
ATTORNEY FOR RESPONDENT

Jordan Esbrook
ATTORNEY FOR THE STATE